IN THE HIGH COURT OF JUDICATURE OF BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

SUIT No. 765 of 1989

Kochar Brothers & Anr. .. Plaintiffs

versus

Nitco Roadways Pvt.Ltd. .. Defendant

...

Mrs.Arti Barve for the plaintiffs.

None present for the defendant.

CORAM : D.G. KARNIK, J

DATED : 23rd June 2006.

P.C.:

1. Heard learned counsel for the plaintiff. None present for the defendants. The defendants have not filed written statement.

2. Counsel for the plaintiff submits that this is a simple money suit and in the absence of written statement, suit be decreed under Order 8 Rule 10 of the Code of Civil Procedure. In the absence of written

statement, averments made in the plaint are deemed to be admitted. Submission of the counsel is therefore accepted. Suit is decreed under Order 8 Rule 10 of the Code of Civil Procedure in terms of the prayer clause.

(D.G. KARNIK, J)